

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2010 SEP 17 PM 1:00

DEPUTY CLERK pl

BEDAH DONALD FREY,

Petitioner,

v.

RICK THALER, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

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2:09-CV-0180

ORDER ADOPTING REPORT AND RECOMMENDATION
and DENYING RESPONDENT'S MOTION TO DISMISS

Came for consideration the Motion to Dismiss filed by respondent RICK THALER on November 24, 2009. On September 2, 2009, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that respondent's motion to dismiss be denied. Respondent has filed objections to the Magistrate Judge's Report and Recommendation.

The undersigned United States District Judge has reviewed the Report and Recommendation of the Magistrate Judge, as well as respondent's objections, and has made an independent examination of the record in this case. The District Judge is of the opinion that the objections filed by respondent should be, and hereby are, OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, respondent's motion to dismiss is DENIED.

IT IS SO ORDERED.

ENTERED this 17th day of September 2010.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE